

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ZOHAR III, CORP., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

ZOHAR CDO 2003-1, LIMITED; ZOHAR II
2005-1, LIMITED; and ZOHAR III,
LIMITED,

Plaintiffs,

v.

PATRIARCH PARTNERS, LLC;
PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
PHOENIX VIII, LLC; OCTALUNA LLC;
OCTALUNA II LLC; OCTALUNA III LLC;
ARK II CLO 2001-1, LLC; ARK
INVESTMENT PARTNERS II, LP; ARK
ANGELS VII, LLC; PATRIARCH
PARTNERS MANAGEMENT GROUP, LLC;
PATRIARCH PARTNERS AGENCY
SERVICES, LLC; and LYNN TILTON,

Defendants.

Adv. Pro. No. 20-50534

Ref. Docket Nos. 1, 2 & 7

**CERTIFICATION OF COUNSEL REGARDING MOTION OF THE DEBTORS FOR
ENTRY OF AN ORDER AUTHORIZING FILING
THE COMPLAINT UNDER SEAL**

¹ The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is 3 Times Square, c/o FTI Consulting, Inc., New York, NY 10036.

On March 9, 2020, the Debtors filed the *Complaint* [Docket No. 1/2] (the “Complaint”) and a related motion to seal [Docket No. 7] (the “Motion to Seal”).² Pursuant to rule 9018-1(d)(iv)(f) of the Local Rules of Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, the undersigned counsel to the Debtors hereby certifies that the entire Complaint should be filed under seal, for the reasons set forth in the Motion to Seal.

WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order authorizing the Debtors to file the entire Complaint under seal.

Dated: March 18, 2020
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Ryan M. Bartley

James L. Patton, Jr. (No. 2202)

Robert S. Brady (No. 2847)

Michael R. Nestor (No. 3526)

Joseph M. Barry (No. 4221)

Ryan M. Bartley (No. 4985)

Shane M. Reil (No. 6195)

Rodney Square

1000 North King Street

Wilmington, Delaware 19801

Telephone: (302) 571-6600

Facsimile: (302) 571-1253

Email: jpatton@ycst.com

rbrady@ycst.com

mnestor@ycst.com

jbarry@ycst.com

rbartley@ycst.com

sreil@ycst.com

Counsel to the Debtors and Debtors in Possession

² Capitalized terms used but not otherwise defined herein shall have the meanings given to such terms in the Motion to Seal.